

Fill in this information to identify the case:

Debtor 1	<u>Donell Tally</u>
Debtor 2 (Spouse, if filing)	<u>Tammy Irene Tally</u>
United States Bankruptcy Court for the : <u>Middle</u>	District of <u>Pennsylvania</u> (State)
Case number	<u>1:19-bk-00221-HWV</u>

## Official Form 410S1

# Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: M & T Bank

Court claim no. (if known): 18

Last four digits of any number you use to identify the debtors' account: XXXXXX0847

Date of payment change:  
Must be at least 21 days after date of this notice

12/1/2019

New total payment:  
Principal, interest, and escrow, if any \$626.46

### Part 1: Escrow Account Payment Adjustment

1. Will there be a change in the debtors' escrow account payment?

No

Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 219.94

New escrow payment : \$ 284.00

### Part 2: Mortgage Payment Adjustment

2. Will the debtors' principal and interest payment change based on an adjustment to the interest rate in the debtors' variable-rate note?

No

Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: %

New interest rate: %

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

### Part 3: Other Payment Change

3. Will there be a change in the debtors' mortgage payment for a reason not listed above?

No

Yes. Attach a copy of any documents describing the basis for the change, such as repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

**Part 4:****Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

- I am the creditor.  
 I am the creditor's authorized agent

**I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.**

X /s/Dane Exnowski Date 11/1/2019  
Signature

Print: Dane Exnowski Title Authorized Agent  
First Name Middle Name Last Name

Company McCalla Raymer Leibert Pierce, LLC

Address 1544 Old Alabama Road  
Number Street  
Roswell GA 30076  
City State ZIP Code

Contact phone 562-661-5060 Email Dane.Exnowski@mccalla.com

In Re:  
Donell Talley  
Tammy Irene Talley

Bankruptcy Case No.: 1:19-bk-00221-HWV  
Chapter: 13  
Judge: Henry W. Van Eck

#### CERTIFICATE OF SERVICE

I, Dane Exnowski, of McCalla Raymer Leibert Pierce, LLC, 1544 Old Alabama Road, Roswell, GA 30076, certify:

That I am, and at all times hereinafter mentioned, was more than 18 years of age;

That on the date below, I caused to be served a copy of the within NOTICE OF MORTGAGE PAYMENT CHANGE filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, with proper postage affixed, unless another manner of service is expressly indicated:

Donell Talley  
5488 Kenwood Avenue  
Harrisburg, PA 17112

Tammy Irene Talley  
5488 Kenwood Avenue  
Harrisburg, PA 17112

Kara Katherine Gendron  
Mott & Gendron Law  
125 State Street  
Harrisburg, PA 17101

*(served via ECF Notification)*

Charles J DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

*(served via ECF Notification)*

United States Trustee  
228 Walnut Street, Suite 1190  
Harrisburg, PA 17101

*(served via ECF Notification)*

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT.

Executed on: 11/4/2019 By: /s/Dane Exnowski  
(date) Dane Exnowski  
Authorized Agent for M & T Bank

RETURN SERVICE ONLY  
Please do not send mail to this address  
P.O. Box 619063  
Dallas, TX 75261-9063

**ANNUAL ESCROW ACCOUNT  
DISCLOSURE STATEMENT****Contact Us**

 Customer Service:	1-800-411-7627
 Property Tax:	1-866-406-0949
 Property Insurance:	1-888-882-1847
 Home Purchase or Refinancing:	1-800-479-1992
 NMLS #381076	

 Correspondence Address:	
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PO BOX 1288  
BUFFALO, NY 14240-1288

 <https://onlinebanking.mtb.com>

TAMMY I TALLEY  
5488 KENWOOD AVE  
HARRISBURG PA 17112-3082

Dear Customer,

As your mortgage partner, we strive to exceed your servicing expectations. We are providing you with the following statement which details your escrow account activity. Please refer to our Frequently Asked Questions, page 4, or call one of the appropriate customer service numbers referenced above with any questions or concerns.

**Based on our review, you have a shortage. Your payment is changing.**

This shortage was caused by changes in your taxes, insurance or escrow deposits. Your Account History, page 2, shows what has already happened on your account. To see what we anticipate happening with your account over the next 12 months, turn to Projected Escrow Payments, page 3.

**Your Mortgage Payment Options****Option 1**

Pay your shortage in full  
using the coupon below.

**Payment Information****Current Monthly Payment**

New Monthly Payment  
beginning on 12/01/2019

Principal & Interest:	\$342.46
Escrow Payment:	\$219.94
Shortage:	\$0.00
Total Payment:	\$562.40

\$342.46
\$246.45
\$0.00
\$588.91

OR

**Option 2**

Spread your shortage of  
\$450.57 over the next 12  
payments. No action  
needed.

**Payment Information****Current Monthly Payment**

Pay Shortage Over  
12 payments beginning  
on 12/01/2019

Principal & Interest:	\$342.46
Escrow Payment:	\$219.94
Shortage:	\$0.00
Total Payment:	\$562.40

\$342.46
\$246.45
\$37.55
\$626.46

INTERNET REPRINT

**M&T Bank****SHORTAGE COUPON**

Loan Number: [REDACTED]

Once your shortage is applied, the payment amount will be adjusted in accordance with  
Option 1 referenced above.

**Payment Amount**

Amount Due: \$450.57

M&T BANK  
PO BOX 64787  
BALTIMORE MD 21264-4787

## Your Account History\*\*

Please remember, as your taxes and/or insurance increase on an annual basis, the escrow portion of your payment may increase. If you have any questions about this Escrow Analysis, please call our Customer Service Department toll free at 1-800-411-7627.

Month	Projected Payment to Escrow	Actual Payment to Escrow	Description	Projected Disbursement	Actual Disbursement	Projected Balance	Actual Balance	
<b>Beginning Balance</b>								
Feb 19	\$219.94	\$219.94	County Tax	\$765.27	*	\$1,759.60	\$909.19	
Mar 19	\$219.94	\$219.94	County Tax	\$765.27	*	\$1,214.27	\$1,129.13	
Apr 19	\$219.94	\$219.94				\$1,434.21	\$1,349.07	
May 19	\$219.94	\$219.94				\$1,654.15	\$1,569.01	
Jun 19	\$219.94	\$219.94	Hazard Ins	\$941.00	*	\$1,874.09	\$847.95	
Jul 19	\$219.94	\$219.94	Hazard Ins	\$625.00	*	\$1,469.03	\$1,067.89	
Aug 19	\$219.94	\$219.94	School Tax	\$1,249.09	\$1,251.12	*	\$439.88	\$36.71
Sep 19	\$219.94	\$219.94				\$659.82	\$256.65	
Oct 19	\$219.94	\$219.94				\$879.76	\$476.59	
Nov 19	\$219.94	\$219.94				\$1,099.70	\$696.53	

The total amount of escrow payments received during this period was \$2,199.40 and the total escrow disbursements were \$2,957.39.

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount of the deposit/disbursement.

\*\* This section may also reflect anticipated escrow activity that has not yet occurred prior to the effective date of this analysis.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this statement is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, M&T Bank retains rights under its security instrument, including the right to foreclose its lien.

## Projected Escrow Payments Over the Next 12 Months

### Anticipated Annual Disbursements

County Tax:	\$765.27
Hazard Ins:	\$941.00
Taxes:	\$1,251.12
Total:	\$2,957.39

The cushion allowed by federal law (RESPA) is two times your monthly escrow payment (excluding MIP/PMI), unless state law specifies a lower amount.

### Projected Escrow Balance Summary

M&T Bank expects to pay \$2,957.39 over the next 12 months.

Here's how to calculate your new monthly escrow payment:

Total Taxes and Insurance:	\$2,957.39
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Divided by 12 months:	\$246.45
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*New Monthly Escrow Payment:	\$246.45
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Projections for the coming year: The following summary shows anticipated activity in your escrow account for the next twelve months, which was used to calculate your payment above.

Month	*Monthly Escrow Payment	Amount Scheduled to be Paid	Description	Projection Based On Current Balance	Projection Based On Required Balance
				Beginning Balance	\$696.53
Dec 19	\$246.45			\$942.98	\$1,478.69
Jan 20	\$246.45			\$1,189.43	\$1,725.14
Feb 20	\$246.45			\$1,435.88	\$1,971.59
Mar 20	\$246.45	\$765.27	County Tax	\$917.06	\$1,452.77
Apr 20	\$246.45			\$1,163.51	\$1,699.22
May 20	\$246.45			\$1,409.96	\$1,945.67
Jun 20	\$246.45			\$1,656.41	\$2,192.12
Jul 20	\$246.45	\$941.00	Hazard Ins	\$961.86	\$1,497.57
<b>Aug 20</b>	<b>\$246.45</b>	<b>\$1,251.12</b>	<b>School Tax</b>	<b>-\$42.81</b>	<b>\$492.90</b>
Sep 20	\$246.45			\$203.64	\$739.35
Oct 20	\$246.45			\$450.09	\$985.80
Nov 20	\$246.45			\$696.54	\$1,232.25

### Escrow Requirements, New Mortgage Payment and Anticipated Annual Disbursements

Projected Beginning Balance	\$696.53
-Required Minimum Balance	\$1,232.24
Shortage Amount	\$450.57

Your lowest monthly escrow balance for the next 12 months should reach \$492.90, which equals a reserve of two months escrow deposit. In order to reach this low point, your required escrow balance after your 11/19 payment should be \$1,232.24, whereas your actual escrow balance is \$696.53. The difference, \$450.57, represents an escrow shortage and will be spread over the next 12 payments unless your shortage is paid in full.

\*Based on these calculations for the coming year, if you pay your shortage in full your new total payment amount effective 12/01/19 will be the amount reflected in Option 1 on Page 1 of this statement. If you choose to spread the shortage over 12 payments your total payment amount will be the amount reflected in Option 2 of Page 1 of this statement.

\*\*This has been adjusted for the bankruptcy proof of claim.

## Mortgagor Guide to Frequently Asked Escrow Analysis Questions (FAQ Document)

- What is an escrow analysis and why am I receiving this document?**

Federal mortgage laws require all mortgage lenders to perform an escrow analysis on all loans minimally once a year. As a result, M&T Bank conducts an escrow analysis accordingly. The analysis is a calculation of your escrowed items – when they are due, the frequency of pay (annually, semi-annually, and quarterly) and the amount of the payment. This then determines if we are over collecting, under collecting or accurately collecting funds to make these payments on your behalf.

There are several reasons why an off-cycle analysis is performed. Common reasons include: loan is acquired or transferred, customer request (new exemption or adjusted bill issued), change in insurance or tax due dates.

- What is an escrow account?**

An escrow account is an account set inside your mortgage account. On a monthly basis funds you remit are placed in the account, held and when the time comes, paid to your tax and/or insurance agency. A full accounting of these funds appears on the following statements: monthly mortgage statement, year-end statement and your escrow analysis statement. Typically the payments made are to your real estate tax municipalities and insurance agent. Other payments may be made according to your mortgage agreement.

- What is an escrow payment?**

The portion of your monthly payment remitted which is held and then used to pay your escrowed items as they become due.

- How do you determine the required beginning escrow balance?**

The portion of your monthly payment remitted which is held and then used to pay your escrowed items as they become due.

- What is an escrow reserve also known as a cushion?**

An escrow reserve also known as a cushion is the amount of money collected in the escrow to cover any unanticipated increases in your real estate tax or insurance premium payment. It acts as a buffer and prevents your escrow account from being overdrawn. An escrow reserve exists on your account unless your mortgage documents or state law applies.

- How is an escrow analysis completed?**

We itemize all applicable disbursements such as the real estate property tax and insurance premium which are scheduled to be paid on your behalf in the next 12 months. We take the total and divide the payment by 12 payments. The total amount of the disbursements divided by 12 is equal to your monthly escrow payment.

- Will my escrow payment amount remain the same if I remit the entire shortage amount at once?**

By paying the full shortage amount this will result in an adjustment to your account which will result in a payment with the smallest possible increase in your monthly mortgage payment. It's important to keep in mind any increase in your real estate tax amounts and/or insurance premium may cause your payment amount to change even if you pay your shortage amount.

- If I would like to remit the shortage payment, what steps do I need to take?**

You may pay the entire shortage amount by returning the shortage coupon attached to the bottom of page 1 of your escrow analysis along with your check to: M&T Bank, Escrow Department, PO Box 64787, Baltimore, MD 21264-4787

- What if I do not remit the shortage payment?**

If you do not wish to remit the entire shortage payment in one lump sum, you can instead remit the new payment amount over the next 12 months. The escrow analysis calculation automatically spreads the shortage amount over the next 12 months.

- Why did my monthly escrow payment amount change?**

There are a number of reasons why escrow payment amounts change. Below are the most common reasons why the amount may change:

**Real Estate Tax –**

Tax rate and/or property's assessed value changed  
Tax exemption status added, changed or removed  
The payment of a supplemental tax bill or delinquent tax paid from escrow  
New tax requirement  
Tax(es) paid as a result of non-payment

**Insurance Premium(s) –**

Premium rate changed  
Coverage changed  
Additional premium paid but not anticipated to be paid from escrow, such as change in carrier  
New insurance requirement  
Lender paid insurance from escrow  
Flood insurance map changed

**Payments –**

Monthly payments received were a different amount than what was expected. For example:

- The monthly payments received were less than the amount requested, shorting the funding of escrow
- Previous escrow shortage amount was not paid in full before new analysis

- Information Regarding Insurance –**

Hazard insurance, also referred to as homeowner's insurance, is an insurance policy purchased to protect your property from certain hazards such as fire and theft. Policy coverage may vary. See your insurance policy information for details regarding your specific coverage(s).

If you decide to change your insurance carrier, send the new policy information to: M&T Bank, Its Successors and/or Assigns, PO Box 5738, Springfield, Ohio 45501-5738

Fax: 866-410-9956

Additional questions can be directed to 888-882-1847.

- Information Regarding Real Estate Tax Bills –**

Where to mail your tax bill:

M&T Bank  
PO Box 23628  
Rochester, NY 14692-9813  
FAX: 817-826-0675

